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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/646,835	01/11/2001	Gabriele Multhoff	105032-991230	1173

7590 12/05/2006

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101 HOWARD STREET SUITE 350
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EXAMINER

YAEN, CHRISTOPHER H

ART UNIT	PAPER NUMBER
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1643

DATE MAILED: 12/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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09/646,835

MULTHOFF, GABRIELE

EXAMINER

C. YAEN

ART UNIT	PAPER
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1643

20061128

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Commissioner for Patents

The appeal brief filed 9/27/2006 is defective for failure to comply with the provisions of 37 CFR § 41.37(c)(1)(v). Specifically, a concise explanation of the subject matter defined in each of the independent claims involved in the appeal, which shall refer to the specification by page and line number, and to the drawing, if any, by reference characters. For each independent claim involved in the appeal and for each dependent claim argued separately under the provisions of paragraph (c)(1)(vii) of this section, every means plus function and step plus function as permitted by 35 U.S.C. 112, sixth paragraph, must be identified and the structure, material, or acts described in the specification as corresponding to each claimed function must be set forth with reference to the specification by page and line number, and to the drawing, if any, by reference characters.

In the instant case, the Summary of Claimed Subject Matter fails to provide specific support for each of the independent claims (i.e. 61, 72, and 83) by pointing to the specification by page and line. It appears that the Summary provided is a general description of the claimed invention as opposed to a detailed mapping of the independent claims as set forth under 37 CFR § 41.37(c)(1)(v).

To avoid dismissal of the appeal, applicant must file an amended brief or other appropriate correction (see MPEP 1205.03) within ONE MONTH or THIRTY DAYS from the mailing date of this Notification, whichever is longer. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher H. Yaen whose telephone number is 571-272-0838. The examiner can normally be reached on Monday-Friday 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Larry Helms, Ph.D. can be reached on 571-272-0832. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


CHRISTOPHER H. YAEN
PRIMARY EXAMINER

ART UNIT 1643